

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE: GOOGLE DIGITAL ADVERTISING
ANTITRUST LITIGATION

No. 1:21-md-03010 (PKC)

This Stipulation Relates To:

SUNNY SINGH, individually and on behalf of all
others similarly situated,

Plaintiff,

v.

GOOGLE LLC, ALPHABET INC., and META
PLATFORMS, INC.,

Defendants.

No. 1:23-cv-03651 (PKC)

**STIPULATION AND [PROPOSED] ORDER REGARDING
SINGH COMPLAINT**

Defendants Meta Platforms Inc. (“Meta”), Google LLC (“Google”) and Alphabet Inc. (“Alphabet”) and Plaintiff Sunny Singh stipulate as follows:

WHEREAS, on December 2, 2022, the Advertiser Class Plaintiffs filed a Consolidated Advertiser Class Action Complaint (the “Advertisers’ CAC”) in this Court (Dkt. No. 399);

WHEREAS, on February 3, 2023, Google and Alphabet filed a Motion to Dismiss the Advertisers' CAC (Dkt. No. 446);

WHEREAS, on February 3, 2023, Meta filed a Motion to Dismiss the Advertisers' CAC (Dkt. No. 460);

WHEREAS, on March 3, 2023, the Advertiser Class Plaintiffs filed separate Oppositions to Google, Alphabet and Meta's Motions to Dismiss the Advertisers' CAC (Dkt. Nos. 490, 491);

WHEREAS, on March 31, 2023, Meta filed a Reply Memorandum of Law in Support of its Motion to Dismiss the Advertisers' CAC (Dkt. No. 519);

WHEREAS, on March 31, 2023, Google and Alphabet filed a Reply Memorandum of Law in Support of their Motion to Dismiss the Advertisers' CAC (Dkt. No. 520);

WHEREAS, on April 4, 2023, Advertiser Plaintiff Sunny Singh filed an action against Google, Alphabet and Meta in the Central District of California, *Singh v. Google LLC et al.*, 23-cv-02539 (the "*Singh* Complaint");

WHEREAS, on May 1, 2023, the *Singh* action was transferred to the Southern District of New York and consolidated and coordinated with the MDL for pre-trial proceedings under the caption *Singh v. Google LLC et al.*, 23-cv-03651;

NOW THEREFORE, the Parties, through their respective counsel, hereby stipulate as follows:

1. Google, Alphabet and Meta have accepted or waived service of the *Singh* Complaint.

2. Any ruling by the Court on the pending motions to dismiss the Advertisers' CAC, except a ruling regarding issues of individual named plaintiffs' obligations to arbitrate claims against Defendants Google and Alphabet, would be deemed to apply to the *Singh* Complaint.

3. Google will be entitled to request leave to file a motion not to exceed 5 pages regarding Mr. Singh's alleged obligation to arbitrate any claims that may not otherwise be dismissed. Plaintiffs and Meta reserve all rights concerning that issue.

IT IS SO STIPULATED AND ORDERED.

Dated: July 21, 2023

<p><u>/s/ Dena C. Sharp</u></p> <p>Dena C. Sharp Jordan Elias Scott M. Grzenczyk Mikaela M. Bock GIRARD SHARP LLP 601 California Street, Suite 1400 San Francisco, CA 94108 Tel: (415) 981-4800 Fax: (415) 981-4846 dsharp@girardsharp.com jelias@girardsharp.com scottg@girardsharp.com mbock@girardsharp.com</p> <p><i>Counsel for Plaintiff Sunny Singh</i></p>	<p><u>/s/ Justina Sessions</u></p> <p>Justina Sessions FRESHFIELDS BRUCKHAUS DERINGER US LLP 855 Main Street Redwood City, CA 94063 Tel: (650) 618-9250 justina.sessions@freshfields.com</p> <p><i>Counsel for Defendants Google LLC and Alphabet Inc.</i></p>
<p><u>/s/ Kevin J. Orsini</u></p> <p>Kevin J. Orsini CRAVATH, SWAINE & MOORE LLP Worldwide Plaza 825 Eighth Avenue New York, NY 10019-7475 Tel: (212) 474-1000 Email: korsini@cravath.com</p> <p><i>Counsel for Defendant Meta Platforms Inc.</i></p>	